

REMARKS

Applicant respectfully requests reconsideration of the issues raised in the Office Action.

First, and foremost, the "newly" cited reference to Ferris is not new to this prosecution. The Ferris reference is mentioned on page 1 of Applicant's text and, furthermore, a copy of the reference was submitted to the Examiner in an Information Disclosure Statement (IDS) dated August 6, 2004. Since a copy of the IDS was initialed by the Examiner and returned to the undersigned with the Office Action mailed December 9, 2004, it was thought that the Examiner's allowance indicated in the previous Office Action had taken into consideration the aforesaid reference. Thus, Applicant's acceptance of the allowance was thought to have brought the prosecution to a close.

Referring to the Examiner's rejection based on Ferris US Patent No. 6 203 085, Applicant respectfully traverses the Examiner's interpretation of the Ferris reference. More specifically, Claims 4 and 8 have been amended to recite that the bracket frame [11] is "immovably" fastened to the cot frame. Applicant believes that this amendment will help to further distinguish the claims from the Examiner's combination of Ferris and Berta et al US Patent No. 5 432 966 as required by the provisions of Title 35 USC 103.

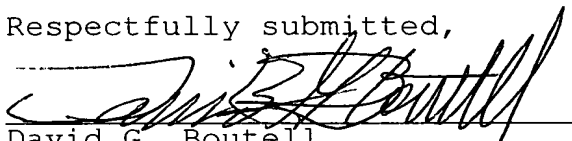
Applicant admits that Ferris teaches a bracket frame 27/28 immovably fastened to the cot frame. However, Ferris provides no motivation for locating the first and second vertically spaced axle mountings on the immovable bracket frame 27/28 so that the first and second wheel members can be rotatably supported on the immovable bracket frame. Ferris does teach the provision of one axle mounting adapted to pivotally support (at axle 26) a pair of laterally spaced metal plates 25a and 25b between which are rotatably supported wheels 21 and 22. It is respectfully submitted that Applicant's vertically spaced first and second axle mounts on the "immovable" bracket frame are not an equivalent of or an

obvious expedient in view of the one axle mount of Ferris for a pair of laterally spaced plates 25a and 25b. That is, a rendering of Applicant's immovable bracket frame to be pivotal would destroy the operability of Applicant's construction. To render the pivotal metal plates 25a and 25b fixed would destroy the operability of Ferris. Furthermore, Applicant's two wheel members are rotatably supported at respective ones of the first and second axle mounts provided on the bracket frame immovably fastened to the cot frame, a feature not even remotely suggested by Ferris.

While Berta et al US Patent No. 5 432 966 does teach the provision of bracket frames [supporting the load assist wheels 26 at one axle mount] that are immovably fixed to the cot frame, Berta et al does not provide the requisite motivation for providing first and second vertically spaced axle mountings on the immovable bracket frame.

Therefore, Applicant respectfully submits that the language of amended Claims 4 and 8 is patentably distinct from the combination of teachings in the Ferris reference as modified by the Berta et al teachings as required by the provisions of Title 35 USC 103. Accordingly, further and favorable consideration of this application is respectfully solicited.

Respectfully submitted,



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